

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

KASEY CARROLL,

Plaintiff,

v.

AGENT OF THE STATE, *et al.*,

Defendants.

Case No. 2:24-cv-01348-CDS-EJY

ORDER

Pending before the Court are the Motions for Funds and to Compel Disclosure of Exculpatory Evidence. ECF Nos. 4, 5. Plaintiff also filed an Amended Complaint, which is largely illegible. ECF No. 6. There is no screened operative complaint filed with Court as Plaintiff's original Complaint is subject to a Report and Recommendation to dismiss without prejudice to allow Plaintiff to proceed with a habeas corpus petition (*see* ECF No. 3) and Plaintiff's illegible Amended Complaint does not satisfy Federal Rule of Civil Procedure 8(a). *See, e.g., Shuster v. Oppelman*, 962 F. Supp. 394, 396 (S.D.N.Y. 1997) (stating that a partially illegible pro se complaint does not comply with Rule 8); *Knutson v. Lucky Store, Inc.*, Case No. CIV S-07-0981-LKK-EFB-P, 2008 WL 4167076, at *1 (E.D. Cal. Sept. 5, 2008) (dismissing a pro se complaint that was mostly illegible and did not comply with Rule 8).

Accordingly, IT IS HEREBY ORDERED that Plaintiff's Amended Complaint (ECF No. 6) is DISMISSED without prejudice as illegible.

IT IS FURTHER ORDERED that the Clerk of Court is to send Plaintiff the instructions for filing a Civil Rights Complaint and a copy of the Court's screening Order at ECF No. 3.

IT IS FURTHER ORDERED that if Plaintiff chooses to file what will be a second amended complaint he must not assert claims against immune defendants as explained in the Court's screening Order. If Plaintiff seeks to assert claims against police officers, he may attempt to do so, but he must ensure that his handwriting is legible—meaning the Court will be able to decipher the words so that

1 it may evaluate what Plaintiff is attempting to allege. A proposed second amended complaint **must**
2 be filed no later than **September 4, 2024**.

3 IT IS FURTHER ORDERED that Plaintiff's Motion for Funds (ECF No. 4) and Motion to
4 Compel Disclosure of Exculpatory Evidence (ECF No. 5) are DENIED.

5 Dated this 9th day of August, 2024.

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8 ELAYNA J. YOUCHAK
UNITED STATES MAGISTRATE JUDGE
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